

ORDINANCE # 159
To Amend Zoning Ordinance # 139
Regarding Fence Regulations

Be it enacted by the City Council of Atkins, Iowa:

Section 1. Purpose. The purpose of this ordinance is to amend Section 1.08.01, "Supplementary District Regulations", Paragraph F; of Ordinance # 139 known as the Zoning Ordinance.

Section 2. Amended Paragraph to read as follows: No fence or hedge more than 30 percent solid or more than three feet high may be located within 30 feet of a street intersection. Fences or hedges less than four feet high may be located on any remaining part of the lot. Fences or hedges less than seven feet high may be erected on those parts of a lot that are as far back or further back from the street than the main building. Higher fences may be allowed by special exception only. *Any fence that has an unfinished side and a finished side must be built with the unfinished side facing the owner's property and the finished side facing the adjoining property owners or public right-of-way.*

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions are hereby repealed.


Section 4. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

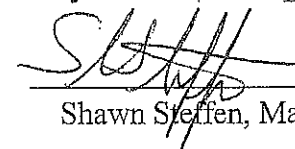
Section 5. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and final reading approved by the Atkins City Council this 15th day of March 2004.

(seal)

ATTEST:


Richard Lange, Clerk


Shawn Steffen, Mayor

Published on the ____ day of _____ 2004 in the South Benton Star Press as required by law.

Richard Lange, Clerk